

### **REMARKS**

The Office Action mailed February 6, 2007, has been received and the Examiner's comments carefully reviewed. Claims 1-47 are cancelled. New independent claim 68 and new dependent claims 69-70 have been added. Claims 68 and 69 are supported by, for example, Fig. 19E of the application and the related description in paragraphs [00121] through [00127] of the current specification. Claim 70 is supported by, for example, Fig. 19E of the application and the related description in paragraphs [0058] through [0061] of the current specification. No new matter has been added. Favorable reconsideration of this application is requested in view of the following remarks.

#### ***Claim Rejections - 35 USC § 103***

In the Office Action, claims 48-67 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Meckley et al. (U.S. Patent No. 6,267,628) in view of Fair et al. (U.S. Patent No. 6,250,964). Applicants respectfully traverse this rejection.

As discussed in the Response submitted on November 20, 2006, unlike the inventions of claims 48 and 55, neither Meckley nor Fair, either by itself or in a reasonable combination with the other, teaches or suggests an upper row of jacks and a lower row of jacks, wherein each jack in the upper row is horizontally offset with respect to an adjacent jack in the lower row at least a distance of approximately a length of a jack.

The present Office Action states on page 5 that it would have been obvious to increase the offset distances between the jacks of Meckley and Fair to arrive at the Applicant's invention because it is specifically stated in Meckley that "it is desirable to space or distance jacks from one another as much as possible to reduce crosstalk between the jacks." Applicants respectfully disagree with this position taken in the Office Action with respect to claims 48 and 55 and request reconsideration of this position.

While Applicants agree that moving the conductors away from one another will lead to a reduction in crosstalk, Applicants do not agree that it would have been obvious to space out the distances of the jacks as much as possible. Applicants also do not agree that varying the offset distance of a length of a jack would have been an obvious minor adjustment without patentable significance. If that was indeed the case, there is no reason why neither Meckley nor Fair, nor

any other prior art reference of record, shows a design wherein the jacks or the jack receptacles are offset at least a whole jack length, in not only in the vertical direction, but, also in the horizontal direction.

The reduction in crosstalk is not the only criteria in designing telecommunications jack panels. Density in telecommunications is a concern that has to be dealt with in addition to reduction in crosstalk. This is highlighted in both Meckley's and Fair's disclosures. Although Applicants agree that it is stated in Meckley that it is desirable to space or distance the contact or terminal members from one another as much as possible, it is also specifically stated in Meckley in column 2 lines 54-58 that "as the size of electronic components has become reduced with advances in semiconductor technology, it has become increasingly necessary to increase the number of modular connector ports which can be mounted in a given area. This statement also appears in the disclosure of Fair. Please see column 1, lines 53-57 of Fair. This statement should be given great weight. The concept of preserving high density of connectivity is explicitly and clearly highlighted by these two references and a large horizontal offset is clearly taught away from by these two references.

The above statement that appears in both the disclosures of Meckley and Fair explains the very reason that, even though both Meckley and Fair talk about the importance of increasing distance in reducing crosstalk, neither Meckley nor Fair disclose a configuration that meets all of the features of the Applicant's inventions of claims 48 and 55. The above statement explains the reason why neither the Meckley reference nor the Fair reference, nor any other prior art reference of record, shows a design wherein the jacks or the jack receptacles are offset at least a whole jack length, in not only in the vertical direction, but, also in the horizontal direction.

Although both Meckley and Fair disclose bi-level frame configurations, neither of them show the amount of horizontal offsetting disclosed by the applicants. Although Meckley refers to Fair's configuration in its disclosure, Fair's jacks are not even close to being offset by the amount contemplated by claims 48 and 55. In Fair, the adjacent jacks are kept close to vertically parallel, with just enough offset to make sure that a receptacle in the upper row is not completely overlapping a receptacle in the lower row. Please see column 4, lines 36-38 of Fair, where it is stated, "In other words, a plug aperture 200 in the upper row is not completely, directly, opposite any plug aperture 210 in the lower row."

For at least the reasons stated above, independent claim 48 and dependent claims 49-54 that depend from independent claim 48 and independent claim 55 and dependent claims 56-60 that depend from independent claim 55 are patentable over Meckley in view of Fair.

Regarding independent claim 61, as discussed above with respect to independent claims 48 and 55, neither Meckley nor Fair, either by itself or in a reasonable combination with one another, teaches or suggests adjacent jack pairs wherein the jacks of each adjacent jack pair are offset relative to each other in two directions and offset at least a distance of approximately a length of a jack in both of the directions, as featured in claim 61. Moreover, as also discussed above, one of ordinary skill in the art would have had no motivation to modify the combination of Meckley and Fair to arrive at Applicants' invention of claim 61 due to the desire in the industry to maintain the high density of connectivity as specifically highlighted by both Meckley and Fair.

For at least the reasons stated above, independent claim 61 and dependent claims 62-67 that depend from independent claim 61 are patentable over Meckley in view of Fair.

The Applicant respectfully requests the withdrawal of this rejection.

### *Patentability of New Claims*

As mentioned above, a new independent claim 68 and dependent claims 69-70 that depend from claim 68 have been added. None of the references of record, including Meckley and Fair, either by itself or in a reasonable combination with another, discloses or suggests a telecommunications device having all of the features recited in claim 68. Specifically, neither Meckley nor Fair discloses or suggests a telecommunications device comprising a panel including a first end and a second end with mounting flanges at the first and second ends thereof, the mounting flanges including fastener openings for mounting the panel to a telecommunications rack, the panel including a first plurality of jacks and a second plurality of jacks mounted thereon, the second plurality of jacks being positioned entirely below the first plurality of jacks, wherein the first plurality of jacks define a first set of gaps between the jacks thereof and the second plurality of jacks define a second set of gaps between the jacks thereof, the jacks of the second plurality of jacks being centered directly below the first set of gaps defined between the jacks of the first plurality of jacks such that none of the jacks of the second plurality of jacks include portions that overlap with the jacks of the first plurality of jacks located

directly above the second plurality of jacks and the jacks of the first plurality of jacks being centered directly above the second set of gaps defined between the jacks of the second plurality of jacks such that none of the jacks of the first plurality of jacks include portions that overlap with the jacks of the second plurality of jacks located directly below the first plurality of jacks.


Thus, for at least the above reason, new independent claim 68 and dependent claims 69-70 that depend from claim 68 are patentable and in condition for immediate allowance.

It is respectfully submitted that each of the presently pending claims is in condition for allowance and notification to that effect is requested. Although certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentably distinct. Applicants reserve the right to raise these arguments in the future. The Examiner is invited to contact Applicants' representative at the below-listed telephone number if it is believed that the prosecution of this application may be assisted thereby.

Respectfully submitted,

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